

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

| | | |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Cause No. 1:24-cr-00118-JPH-KMB |
| |) | |
| DARRION DERRAIN CROMER, |) | - 01 |
| |) | |
| Defendant. |) | |

REPORT AND RECOMMENDATION

On November 5, 2024, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on September 26, 2024. Defendant Cromer appeared in person with his appointed counsel William H. Dazey, Jr. The government appeared by MaryAnn Mindrum, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Felecia Bain.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Cromer of his rights and provided him with a copy of the petition. Defendant Cromer orally waived his right to a preliminary hearing.

2. After being placed under oath, Defendant Cromer admitted violation number 1.
[Docket No.9.]

3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-----------------------------|--------------------------------|
|-----------------------------|--------------------------------|

- | | |
|---|---|
| 1 | "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician." |
|---|---|

As previously reported to the Court, on June 21, July 8, 16, and 23, 2024, the defendant provided urine samples that tested positive for cocaine. On August 6, 12, 20, and September 3, 10, and 18, 2024, the defendant provided urine samples that tested positive for cocaine.

4. The parties stipulated that:
- (a) The highest grade of violation is a Grade B violation.
 - (b) Defendant's criminal history category is IV.
 - (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 12 to 18 months' imprisonment.
5. The parties jointly recommended a sentence of 15 months. Defendant requested placement at FCI - Coleman.

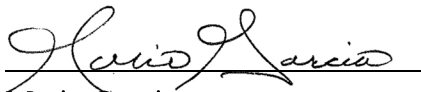
The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of 15 months with no supervised release to follow. The Magistrate Judge will make a recommendation of placement at FCI - Coleman. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation.

Defendant reviewed the above noted conditions with his attorney.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge.

The parties waived the fourteen-day period to object to the Report and Recommendation.

Date: 11/5/2024



Mario Garcia
United States Magistrate Judge
Southern District of Indiana

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